

42.566 Energy assistance trust fund -- Allocation of appropriations.

The funds appropriated by the General Assembly from the energy assistance trust fund shall be expended in a manner consistent with the judgments and settlements, as amended, which produced the oil overcharge refunds, as follows:

- (1) The sum of five hundred thousand dollars (\$500,000) or eight percent (8%) of the amount appropriated each fiscal year, whichever is greater, shall be distributed annually to the Energy and Environment Cabinet for expenditure in the Institutional Conservation Program established pursuant to Part G of Title III of the Energy Policy and Conservation Act, 42 U.S.C. secs. 6371 et seq. The source of these funds shall be deemed to be the trust funds produced by the Stripper Well litigation, *In Re Department of Energy Stripper Well Exemption Litigation*, D.C. Kan., M.D.L. No. 378, and the Diamond Shamrock litigation, *Diamond Shamrock Refining Co. v. Standard Oil of Indiana*, D.C. Ind., Civil Action No. C-84-1432, and interest accumulated thereon; and
- (2) The balance of the trust funds appropriated for expenditure in any fiscal year shall be distributed as follows:
 - (a) Forty percent (40%) to the Finance and Administration Cabinet to be allocated to the cabinet's program for weatherization of low-income households established pursuant to Part A of the Energy Conservation and Existing Buildings Act of 1976, 42 U.S.C. secs. 6861 et seq.; and
 - (b) Sixty percent (60%) to the Cabinet for Health and Family Services to be allocated to the cabinet's program for energy crisis or prevention services for low-income households established pursuant to the Low-Income Home Energy Assistance Act of 1981, 42 U.S.C. secs. 8621 et seq.

Effective: July 12, 2012

History: Amended 2012 Ky. Acts ch. 69, sec. 6, effective July 12, 2012; and ch. 158, sec. 9, effective July 12, 2012. -- Amended 2010 Ky. Acts ch. 24, sec. 33, effective July 15, 2010. -- Amended 2005 Ky. Acts ch. 99, sec. 103, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 426, sec. 82, effective July 15, 1998. -- Amended 1990 Ky. Acts ch. 325, sec. 23, effective July 13, 1990. -- Amended 1988 Ky. Acts ch. 10, sec. 2, effective February 19, 1988. -- Created 1986 Ky. Acts ch. 262, sec. 4, effective April 3, 1986.

Legislative Research Commission Note (7/12/2012). This statute was amended by 2012 Ky. Acts chs. 69 and 158, which do not appear to be in conflict and have been codified together.

Legislative Research Commission Note (7/12/2012). 2012 Ky. Acts ch. 158, sec. 82, provides: "The Finance and Administration Cabinet, which is assigned the functions, duties, and responsibilities associated with the administration of the weatherization program operated in accordance with the requirements for funding received from the United States Department of Energy and any subordinate entities in Executive Order 2011-353 and this Act, is hereby authorized to engage and contract with the Kentucky Housing Corporation to operate and manage the weatherization program if the cabinet deems it to be in the best interest of the weatherization program and the Commonwealth of Kentucky."

Legislative Research Commission Note (6/8/2011). The Reviser of Statutes has corrected the internal numbering of subdivisions of this statute from the way they

appeared in 2010 Ky. Acts ch. 24, sec. 33, under the authority of KRS 7.136.